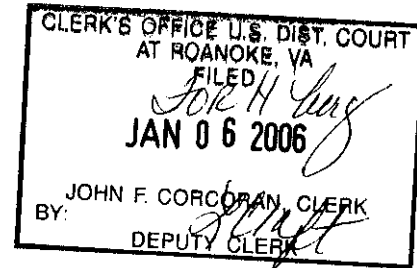


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION



UNITED STATES OF AMERICA,

Criminal Action No. 5:04CR00025

ORDER

v.

CHANCE DANIEL WHITTINGTON,

By: Hon. Glen E. Conrad
United States District Judge

Defendant.

For the reasons stated in the accompanying Memorandum Opinion, the defendant's objection to the report and recommendation is SUSTAINED. It is hereby

ORDERED

as follows:

1. That the report and recommendation is accepted as modified to reflect that the defendant has not agreed to the accuracy of all the specific factual assertions outlined in the government's "Summary of the United States' Evidence";
2. The defendant is adjudged guilty of the statutory offense charged in Count I of the information to which the defendant pled guilty; and
3. Acceptance of the plea agreement is deferred pending adoption of the presentence report.

The Clerk is directed to send certified copies of this Order and accompanying Memorandum Opinion to all counsel of record.

ENTER this 6th day of January, 2006.


United States District Judge